

AGENDA
PERSONNEL BOARD MEETING

JUNE 25, 2007
9:30 a.m.

1. Call to Order
2. Reading of the Minutes of Regular Meeting held May 11, 2007
Minutes Signed
3. Executive Director and Secretary's Report
4. Report of the Personnel Cabinet (**Moved to end of meeting**)
5. **Petitioned Position(s)** – None
6. **Oral Arguments**
 - A. Jerry C. Briscoe and Eddie Roberts v. Finance and Administration Cabinet
(Request by Appellee)
 - B. Douglas Gregory v. Finance and Administration Cabinet (Request by Appellant)
 - C. Karla Maiden v. Transportation Cabinet (Request by Appellant)
 - D. Priscilla Miller v. Justice and Public Safety Cabinet (Request by Appellee)
 - E. Sayed Razavi v. Transportation Cabinet and Joseph Thompson and Glenn
Anderson (Request by Appellant)
 - F. Robert Redmon v. Justice and Public Safety Cabinet – (Request by Appellant)
 - G. Betty Runner v. Cabinet for Health and Family Services (2007-081) (Request by
Appellant)
7. **Motions**
 - A. Lowell Workman v. Cabinet for Health and Family Services
--Appellant's Motion to Enforce Board's Order

--Appellee's Second Notice of Compliance
 - B. Lenny Ausbrooks v. Transportation Cabinet and Marjorie Ann Stewart
(**Deferred from May Meeting**)
--Appellee's Motion to Alter, Amend or Vacate Board Order
--Appellant's Response to Motion

8. **Closed Session**

9. **Cases to be Decided**

- A. Jerry Briscoe and Eddie Roberts v. Finance and Administration Cabinet (request for salary adjustment based on new hire – appeals sustained)
 - Appellee's Exceptions
 - Appellee's Request for Oral Argument
 - Appellant's Response to Exceptions
- B. Douglas Gregory v. Finance and Administration Cabinet (20-day suspension for violating confidentiality rule of COT – appeal dismissed)
 - Appellant's Exceptions and Request for Oral Argument
 - Appellee's Response to Exceptions
- C. Karla Maiden v. Transportation Cabinet (constructive discharge, sexual harassment – appeal dismissed)
 - Appellant's Exceptions and Request for Oral Argument
 - Appellee's Response to Appellant's Exceptions
- D. Priscilla Miller v. Justice and Public Safety Cabinet (probationary dismissal, sex discrimination – appeal sustained)
 - Appellee's Exceptions and Request for Oral Argument
 - Appellant's Response to Exceptions
- E. Sayed Razavi v. Transportation Cabinet and Joseph Thompson and Glenn Anderson (Promotion, discrimination – appeal dismissed)
 - Appellant's Exceptions and Request for Oral Argument
 - Appellee's Response to Exceptions
- F. Robert Redmon v. Justice and Public Safety Cabinet (promotion, racial discrimination – appeals dismissed) (2 appeals)
 - Appellant's Exceptions and Request for Oral Argument
 - Appellee's Response to Exceptions
- G. Betty Runner v. Cabinet for Health and Family Services (2007-081) (Evaluation -- appeal dismissed for lack of jurisdiction)
 - Appellant's Request for Oral Argument
 - Appellant's Additional Exceptions
 - Appellee's **Motion** to Dismiss and Strike Additional Exceptions
 - Order Granting Time to Respond to Motion
- H. John Beane v. Transportation Cabinet (3-day suspension for improper internet usage – appeal sustained to the extent of changing to written reprimand, dismissed charge of retaliation) (**Deferred from May Meeting**)
 - Appellee's Exceptions and Request for Oral Argument
 - Appellant's Response to Exceptions

***** Added after Proposed Agenda**

- I. William Wolejsza v. Governor's Office for Local Development (Dismissal – appeal sustained to the extent, dismissal changed to a 15-day suspension)
(Deferred from May Meeting)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Exceptions and Request for Oral Argument
- J. Benjamin Burris v. Justice and Public Safety Cabinet (one-day suspension for conduct – appeal dismissed)
- K. Hayden Campbell v. Cabinet for Health and Family Services (dismissal, conduct – appeal dismissed)
- L. Melinda Conover and Mark Gibson v. Cabinet for Health and Family Services and John Langford (Promotion, layoff plan – appeal dismissed)
- M. Ginger Counts v. Education Cabinet (Harassment – appeal dismissed)
- N. John Davis v. Justice and Public Safety Cabinet (Pay equity – appeal dismissed)
- O. Daniel Eldridge v. Department of Veterans' Affairs – 3 appeals -- (5-day suspension – appeal dismissed)
- P. Robert Fockele v. Personnel Cabinet (Applicant rejection – appeal dismissed as moot)
- Q. Rebecca Gardenour v. Cabinet for Health and Family Services and Personnel Cabinet (Indiana voting leave – appeal sustained)
- R. Angela Hall v. Cabinet for Health and Family Services (written reprimand – dismissed, no jurisdiction)
- S. Dylan Jones v. Environmental and Public Protection Cabinet (dismissal, misconduct – appeal dismissed)
- T. Alicia Ricketts v. Justice and Public Safety Cabinet (2006-273 and 2006-322) (Suspensions for poor work performance and misconduct – appeals dismissed)
- U. Sylvia Seale v. Cabinet for Health and Family Services (suspension – appeal dismissed, untimely)
- V. Candice Smith v. Environmental and Public Protection Cabinet and Personnel Cabinet (flexible spending account enrollment – appeal dismissed)
- W. Jeremy Thornsberry v. Justice and Public Safety Cabinet (probationary dismissal – appeal dismissed)

Show Cause Orders –Response Filed

X. William Brown v. Justice and Public Safety Cabinet
--Appellant's Response

Y. **Appeal withdrawn**

Z. Donna Reiff v. Personnel Cabinet
--Appellant's Response

Show Cause Orders – No Response Filed – Appeals Dismissed

AA. Christy Buchanan v. Department of Veterans' Affairs
BB. Beberly Corn v. Finance and Administration Cabinet
CC. Melissa Dishman v. Personnel Cabinet

10. **Withdrawals**

A. Dennis Asher v. Department of Veterans' Affairs
B. Lisa Bannister v. Cabinet for Health and Family Services
C. Ronald Browning v. Transportation
D. Terry Farmer v. Transportation Cabinet and Josh Hornbeck
E. Susan Goddard v. Justice and Public Safety Cabinet
F. Margie Harned v. Cabinet for Health and Family Services
G. Anna Harris v. Cabinet for Health and Family Services
H. Bobby Headrick v. Personnel
I. Erica Hughes v. Personnel Cabinet;
J. Jason Jones v. Cabinet for Health and Family Services (2 appeals)
K. Thomas Laurino v. Personnel Cabinet
L. Robert Mineer v. Personnel Cabinet
M. Barbara Roberts v. Transportation Cabinet
N. Sandra Schaefer v. Cabinet for Health and Family Services
O. Robert Viall v. Cabinet for Health and Family Services
P. Kathie Wideman v. Personnel Cabinet
*** Q. Alisha Brewer v. Justice and Public Safety Cabinet
*** R. Patrick Collard v. Department of Veterans Affairs
*** S. Roger Grubb v. Finance and Administration Cabinet

11. **Settlements**

A. Wayne Ashby v. Education Cabinet
B. Carla Brockman v. Education Cabinet
C. Ronald Carrico v. Transportation Cabinet
D. Jennifer Eaton v. Education Cabinet
E. Karla Green v. Finance and Administration Cabinet (2 appeals)
F. Estle Heightchew v. Justice and Public Safety Cabinet

- G. James McAllister v. Cabinet for Health and Family Services
 - H. John Oliver v. Education Cabinet
 - I. Lonnie Poland v. Transportation Cabinet
 - J. Alicia Ricketts v. Justice and Public Safety Cabinet (2006-153)
 - K. Jackie Standifur v. Environmental and Public Protection Cabinet
 - L. Dee Sumpter v. Health and Family Services
 - M. John Warren II v. Education Cabinet
 - *** N. Farrah Stewart v. Justice and Public Safety Cabinet
 - *** O. Sheila Tharpe v. Environmental and Public Protection Cabinet
 - *** P. Nikki Townsend v. Personnel Cabinet (5 appeals)
 - *** Q. Charles Weaver v. Transportation Cabinet and Wayne Sizemore
12. Other
- A. Report of Personnel Cabinet
 - 1. Michael Duncan Hiring Investigation – request by Personnel Cabinet
(**Deferred from May**)
 - 2. Proposed Changes to 101 KAR 2:120, Incentive Programs
 - B. Investigations
 - 1. Justice Cabinet, Kentucky State Reformatory – request by Patricia Bunt
Special favors and exemption from rules (**Deferred from April**)
 - 2. Pay equity – starting salary for new hires versus salaries of incumbents
(Request by Hearing Officer Andy Crocker, contained in
Recommended Order of *John Davis v. Kentucky State Police*)
 - C. Annual Salary Increments for Executive Director and General Counsel